## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)

Docket No. 200.1116US

In Re Application Of:	Benjamin OSHLACK, et al	١.,
4		/

Serial No. 09/702,283

Filing Date October 30, 2000

Examiner Bennett M. Celsa Group Art Unit

1639

Invention: CONTROLLED RELEASE HYDROCODONE FORMULATIONS

## TO THE COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated September 11, 2003 finally rejecting Claim(s) 1-3 and 5-38

The fee for this Notice of Appeal is: \$330.00

- $\boxtimes$ A check in the amount of the fee is enclosed.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0552

02/12/2004 DTESSEM1 00000065 09702283

01 FC:1401

330.00/0

Dated: February 9, 2004

Robert J. Paradiso Reg. No. 41,240 Davidson, Davidson & Kappel, LLC 485 Seventh Avenue, 14th Floor New York, NY 10018

I certify that this document and fee is being deposited on Feb. 9, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature of Person Mailing Correspondence

Patricia Kane

Typed or Printed Name of Person Mailing Correspondence